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FILED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

2012 JUN 25 PM 12:41

ROBERT A. TROVICH
U.S. DISTRICT COURT
FOR THE NORTHERN DISTRICT
OF INDIANA

NORCO INDUSTRIES, INC.)
)
Plaintiff,)
)
v.)
)
AUTOMATED PRODUCTS)
INTERNATIONAL, LLC.)
)
Defendant.)
)
)

Civil Action No.: **3:12CV 345**

COMPLAINT (JURY TRIAL DEMANDED)

Plaintiff, Norco Industries, Inc. ("Norco"), for its Complaint against Automated Products International, LLC ("API"), hereby demands a jury trial and alleges as follows:

PARTIES

1. Norco is a corporation organized under the laws of the State of California, with a place of business at 2600 Jeanwood Dr., Elkhart, Indiana 46514.
2. On information and belief, API is a limited liability company organized under the laws of the State of Indiana, with a principal place of business at 2840 North State Road 9, Ste. 3, LaGrange, Indiana 46761.

JURISDICTION AND VENUE

3. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 271 *et seq.*
4. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).

5. API has committed acts of patent infringement in this Court's District, in Indiana, and elsewhere throughout the United States.

6. Venue is proper in this Court under 28 U.S.C. §§ 1391(c) and 1400(b), in that API resides in LaGrange, Indiana and therefore is subject to personal jurisdiction in this district, and API has committed and continues to commit acts of infringement in this district.

FACTUAL BACKGROUND

7. On December 20, 2011, the U.S. Patent Office issued U.S. Patent No. D650,723 ("the '723 patent") to Bernard F. Garceau and Robert G. Chew for an invention entitled Roof Bow. Norco owned the '723 patent throughout the period of API's infringing acts and still owns the '723 patent. A copy of the '723 patent is attached hereto as Exhibit A.

8. On April 17, 2012, the U.S. Patent Office issued U.S. Patent No. D657,719 ("the '719 patent") to Bernard F. Garceau and Robert G. Chew for an invention entitled Roof Bow. Norco owned the '719 patent throughout the period of API's infringing acts and still owns the '719 patent. A copy of the '719 patent is attached hereto as Exhibit B.

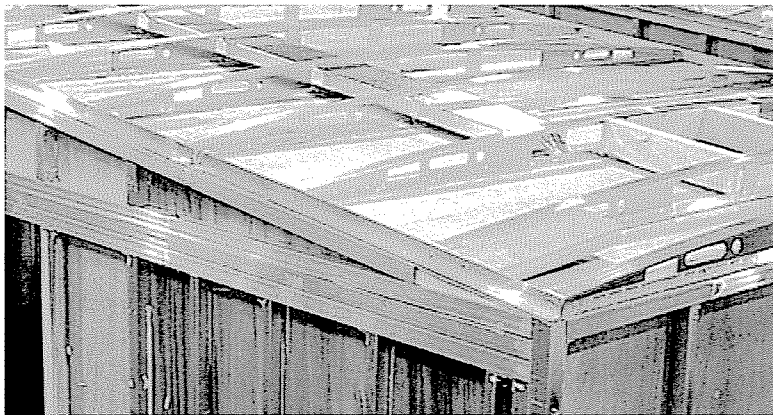
9. On June 12, 2012, the U.S. Patent Office issued U.S. Patent No. D661,622 ("the '622 patent") to Bernard F. Garceau and Robert G. Chew for an invention entitled Roof Bow. Norco owned the '622 patent throughout the period of API's infringing acts and still owns the '622 patent. A copy of the '622 patent is attached hereto as Exhibit C.

COUNT I – INFRINGEMENT OF THE '723 PATENT

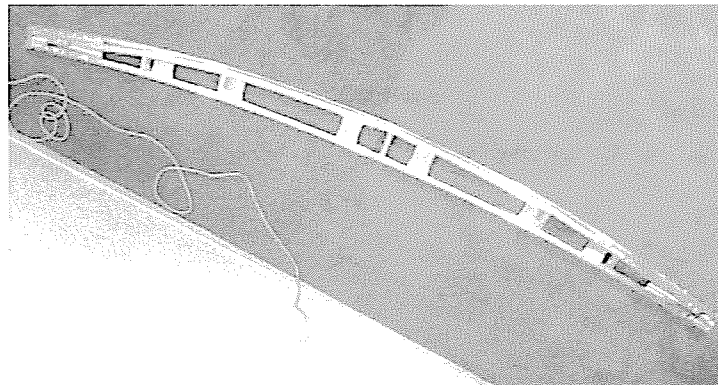
10. API has infringed and is still infringing the '723 patent by making, selling, and using roof bows that embody the patented invention, including but not limited to the roof bows pictured on API's website, <http://apistructuralsolutions.com>, and in the photographs below, and API will continue to do so unless enjoined by this Court.



Aluminum Structural Components for Recreational Vehicle Construction



- Reduce Weight
- Improve Strength
- Lower Costs
- Accelerate Construction



11. Norco has complied with the statutory requirement of placing a notice of the '723 patent on all roof bows it manufactures that embody the patented invention.

12. Despite Norco's placement of notice on its products, API continues to sell roof bows embodying the invention claimed in the '723 patent, and, therefore, has willfully infringed the '723 patent.

COUNT II – INFRINGEMENT OF THE '719 PATENT

13. API has infringed and is still infringing the '719 patent by making, selling, and using roof bows that embody the patented invention, including but not limited to the roof bow pictured on API's website, <http://apistructuralsolutions.com> and in the photographs below, and API will continue to do so unless enjoined by this Court.

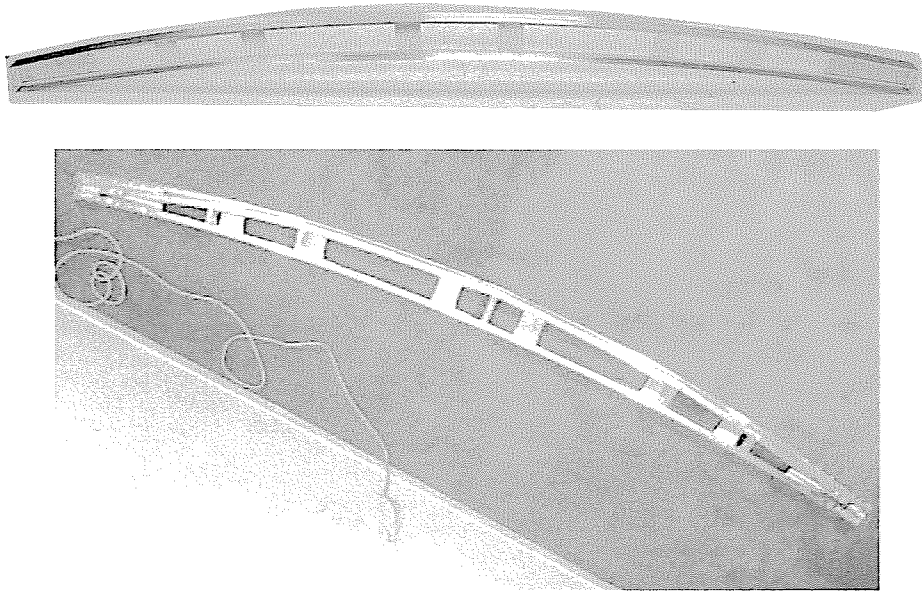


APITM
Structural Solutions
US Patent #7,134,711 B1

**Aluminum Structural Components
for Recreational Vehicle Construction**



- Reduce Weight
- Improve Strength
- Lower Costs
- Accelerate Construction



14. Norco has complied with the statutory requirement of placing a notice of the '719 patent on all roof bows it manufactures that embody the patented invention.

15. Despite Norco's placement of notice on its products, API continues to sell roof bows embodying the invention claimed in the '719 patent, and, therefore, has willfully infringed the '719 patent.

COUNT III – INFRINGEMENT OF THE '622 PATENT

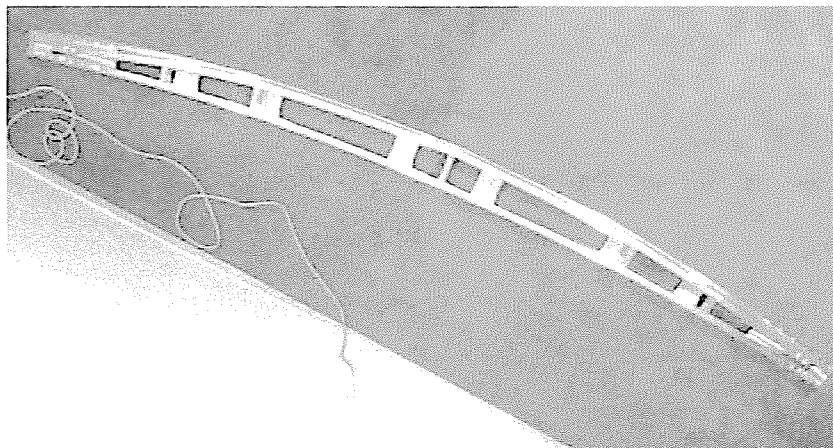
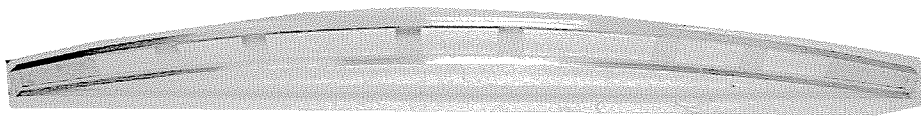
16. API has infringed and is still infringing the '622 patent by making, selling, and using roof bows that embody the patented invention, including but not limited to the roof bow pictured on API's website, <http://apistructuralsolutions.com> and in the photographs below, and API will continue to do so unless enjoined by this Court.



Aluminum Structural Components for Recreational Vehicle Construction



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17. As a direct and proximate result of the infringement identified in Counts I-III of this Complaint, Norco has suffered and continues to suffer damages.

18. On information and belief, API's willful infringement makes this case exceptional within the meaning of 35 U.S.C. § 285.

19. If API is permitted to continue its infringement of Norco's patent rights, Norco will be irreparably harmed.

THEREFORE, Norco respectfully demands:

- a. a preliminary and final injunction against the continuing infringement;
- b. an accounting for damages;
- c. interests and costs;
- d. an award of treble damages for API's willful infringement;
- e. an award of attorneys' fees to the extent permitted under 35 U.S.C. § 285; and
- f. such other and further legal and equitable relief as the Court deems appropriate.

Respectfully submitted,

NORCO INDUSTRIES, INC.

By its attorneys,

Dated: June 22, 2012



Arland T. Stein, Sr. (ISBA #21949-49)
HAHN LOESER & PARKS LLP
65 East State Street, Suite 1400
Columbus, Ohio 43215
Telephone: (614) 221-0240
Facsimile: (614) 221-5909
astein@hahnlaw.com

OF COUNSEL:

Shannon McCue

R. Eric Gaum

HAHN LOESER & PARKS LLP

200 Public Square, Suite 2800

Cleveland, Ohio 44114

Telephone: (216) 621-0150

Facsimile: (216) 241-2824

smccue@hahnlaw.com

regaum@hahnlaw.com